

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3120 Congressional Parkway, Fort Wayne, Indiana 46808-2933. (MSGC Realty, Inc.)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein;  
and

WHEREAS, said project will create 4 permanent jobs additional permanent jobs for a total additional annual payroll of \$58,500, with the average new annual job salary being \$14,600; and

WHEREAS, the total estimated project cost is \$372,400; and  
WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39,

1       The Fort Wayne Redevelopment Commission has adopted a Resolution  
2       approving the designation.

3           **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE**  
4       **CITY OF FORT WAYNE, INDIANA:**

5           **SECTION 1.** That, the Resolution previously designating the  
6       above described property as an "Economic Revitalization Area" is  
7       confirmed in all respects.

8           **SECTION 2.** That, the hereinabove described property is  
9       hereby declared an "Economic Revitalization Area" pursuant to  
10      I.C. 6-1.1-12.1, said designation to begin on the effective date  
11      of this Resolution and continue for a one (1) year period. Said  
12      designation shall terminate at the end of that one (1) year  
13      period.

14           **SECTION 3.** That, said designation of the hereinabove  
15      described property as an "Economic Revitalization Area" shall  
16      apply to a deduction of the assessed value of real estate.

17           **SECTION 4.** That, the estimate of the number of individuals  
18      that will be employed or whose employment will be retained and  
19      the estimate of the annual salaries of those individuals and the  
20      estimate of the value of redevelopment or rehabilitation all  
21      contained in Petitioner's Statement of Benefits are reasonable  
22      and are benefits that can be reasonably expected to result from  
23      the proposed described redevelopment or rehabilitation.

24           **SECTION 5.** The current year approximate tax rates for  
25      taxing units within the City would be:

26           (a) If the proposed development does not occur, the  
27              approximate current year tax rates for this site would  
28              be \$9.0138/\$100.

- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$9.0138/\$100 (the change would be negligible).
- (c) If the proposed development occurs and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$9.0138/\$100 (the change would be negligible).

SECTION 6. Pursuant to I.C. 6-1.1-12.1, it is hereby

determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

**SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

**SECTION 8.** For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Department of Economic Development and must be included in the deduction application. For subsequent years, the performance report must be updated within sixty days after the end of each year in which the deduction is applicable.

SECTION 9. The performance report must contain the following information:

- A. The cost and description of real property improvements.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.

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C. The total salaries of the employees hired through the  
end of the preceding calendar year as a result of the  
deduction.

D. The total number of employees employed at the facility  
receiving the deduction.

E. The total assessed value of the real property  
deduction.

F. The tax savings resulting from the real property being  
abated.

6 SECTION 10. That, this Resolution shall be in full force  
7 and effect from and after its passage and any and all necessary  
8 approval by the Mayor.  
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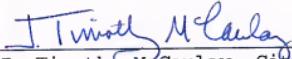
12 Member of Council

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16 APPROVED AS TO FORM AND LEGALITY

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19 J. Timothy McCaulay, City Attorney

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Read the first time in full and on motion by Henry,  
seconded by Jenice, and duly adopted, read the second time by  
title and referred to the Committee on Jenice (and the  
City Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Common Council Conference Room 128, City-County  
Building, Fort Wayne, Indiana, on Tuesday, the 25 day  
of August, 1995, at 8:30 A.M. o'clock M., E.S.T.  
DATED: 7-25-95

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry,  
seconded by LOST, and duly adopted, placed on its passage.  
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>	<u>1</u>	<u>2</u>	
BRADBURY				
EDMONDS				
GIAQUINTA				
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 8-22-95

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. Q-53-95  
on the 22nd day of August, 1995

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Don J. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 23rd day of August, 1995,  
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24 day of Augt,  
19 95, at the hour of 8:15 o'clock P A.M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR

BILL NO. R-95-07-16

Sold  
8-22

REPORT OF THE COMMITTEE ON  
FINANCE  
THOMAS C. HENRY - CHAIR  
MARK E. GIAQUINTA - VICE CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE, TO WHOM WAS

REFERRED AN (ORIGINATOR) (RESOLUTION) confirming resolution  
designating an "Economic Revitalization Area" 3120 Congressional Parkway  
(MSGC Realty, Inc.)

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(CHARTER EXPLANATION) (RESOLUTION)

DATED: 8-22-95

Sandra E. Kennedy  
City Clerk

ZORHAL K. TAZIAN, RE. & LS.  
SAM L. FAUST, L.S.

**zktazian**

ASSOCIATES, INC.  
245 WEST WATERS STREET  
SUITE 202  
FORT WAYNE, INDIANA 46802  
PHONES: 219/424-3232  
219/424-3234 FAX

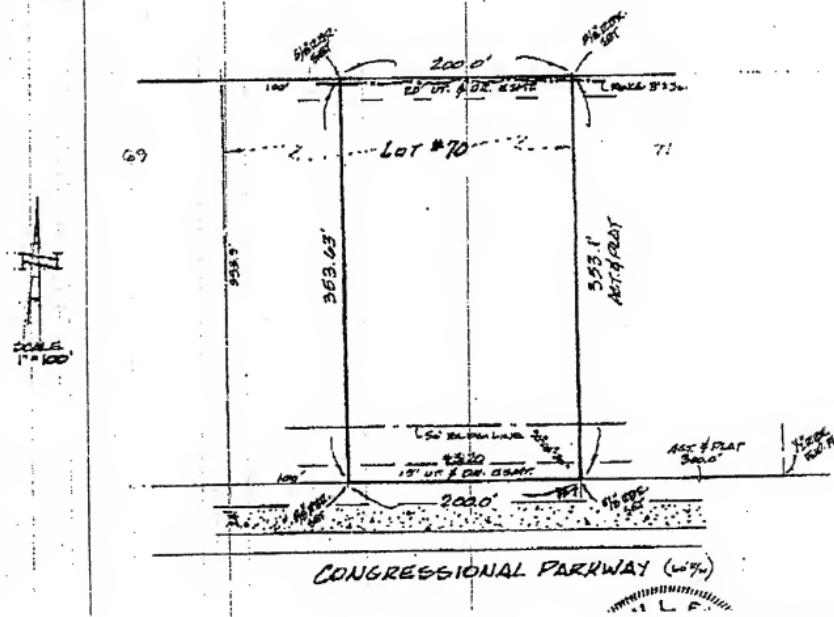
### CERTIFICATE OF SURVEY

This document is a record of a survey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plats on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown herein in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

#### DESCRIPTION OF REAL ESTATE

The East 200 feet of Lot #70 in Congressional Industrial Park, Section II, according to the plat thereof recorded in Plat Book "45", pages 26-29 in the Office of the Recorder of Allen County, Indiana.

This property is in Zone X as the description plots by scale on Flood Insurance Rate Map No. 18003CO260D, effective Sept. 28, 1990.



## SCHEDULE A

CASE NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	POLICY NUMBER
T95-2185	March 16, 1995 at 9:26 A.M.	\$51,000.00	THE POLICY NUMBER SHOWN ON THIS SCHEDULE MUST AGREE WITH THE PREPRINTED NUMBER ON THE COVER SHEET
			22812 T

1. Name of Insured:  
MSGC Realty, Inc.
2. The estate or interest in the land described herein and which is covered by this policy is:  
Fee Simple
3. The estate or interest referred to herein is at Date of Policy vested in:  
MSGC Realty, Inc.
4. The land referred to in this policy is described as follows:

The East 200 feet of Lot Number 70 in Congressional Industrial Park, Section II, an addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 45, pages 26-29, in the Office of the Recorder of Allen County, Indiana.

## BEING THE SAME REAL ESTATE CONVEYED BY DEED(S):

Ronald E. Huguenard to MSGC Realty, Inc., dated March 15, 1995, recorded March 16, 1995 at 9:26 A.M. as Document Number 95-010633, in the Office of the Recorder of Allen County, Indiana.

DREIBELBIS TITLE COMPANY, INC.

By: Jeanne M. Boldo  
Authorized Officer or Agent/rhs

Issued at: Fort Wayne, Indiana

Policy Form No. 2

This Policy is invalid unless the cover sheet and Schedule B are attached.

ALTA Owner's Policy (4-6-90)

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE MSGC Realty is requesting a tax abatement which would allow them to construct a new 15,000 square foot Distribution Center.

⑦-95-07-16

EFFECT OF PASSAGE Will allow for the creation of four (4) full-time positions.

EFFECT OF NON-PASSAGE Project will not take place resulting in lost jobs in the community.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) Donald J. Schmidt



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

July 26, 1995

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of July 29, 1995,  
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill R-95-07-13 & R-95-07-14  
Economic Revitalization Area

Bill R-95-07-15 & R-95-07-16  
Economic Revitalization Area

R-95-07-17 & R-95-07-18  
Economic Revitalization Area

R-95-07-19 & R-95-07-20  
Economic Revitalization Area

R-95-07-21 & R-95-07-22  
Economic Revitalization Area

R-95-07-23 & R-95-07-24  
Economic Revitalization Area

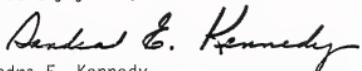
R-95-07-25 & R-95-07-26  
Economic Revitalization Area

Page 2  
Common Council

Please send us 3 copies of all of the above Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,



Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 7

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL

(RESOLUTIONS NO. R-95-07-15 AND R-95-07-16)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 7/25/95, DESIGNATING PROPERTY AT 3120 Congressional Parkway, Fort Wayne, Indiana (MSGC Realty, Inc.) DATE

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON Tuesday, August 8, 1995, at 5:30 P.M. in the

DATE, TIME & PLACE  
Common Council Conference Room 128, City-County Building, One Main  
Street, Fort Wayne, IN

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1) YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY (219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY  
CITY CLERK

**FW COMMON COUNCIL**

(Governmental Unit)

**ALLEN**

County, Indiana

To: **The News-Sentinel**

Dr.

P.O. Box 100

Fort Wayne, IN

**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines \_\_\_\_\_

Head -- number of lines \_\_\_\_\_

Body -- number of lines \_\_\_\_\_

Tail -- number of lines \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

**COMPUTATION OF CHARGES**

**44** lines, **1** columns wide equals **44** equivalent lines  
at **.33** cents per line

\$ **14.52**

Additional charge for notices containing rule or tabular work  
(50 percent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) \_\_\_\_\_

**1.00****TOTAL AMOUNT OF CLAIM**\$ **15.52****DATA FOR COMPUTING COST**Width of single column **12.5** emsNumber of insertions **1**Size of type **6** point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: **JULY 29**, 19 **95**

Title: \_\_\_\_\_

**Clerk***Julie L. Rohrman***NOTICE OF PUBLIC HEARING**  
FORT WAYNE  
COMMON COUNCIL

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An Economic Revitalization area. A description of the affected area can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether the proposed resolution should be confirmed, modified and confirmed as intended on Tuesday, August 8, 1995, at 5:30 P.M., in the Common Council Conference Room, 128, City-County Building, One Main Street, Fort Wayne, IN.

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"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH DISABILITIES WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY THE INFORMATION SOURCE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY  
CITY CLERK  
#986032

7-29

**PUBLISHER'S AFFIDAVIT**

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L. ROHRMAN** who, being duly sworn, says that he/she is **Clerk** of the **The News-Sentinel** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **1** time \_\_\_\_\_, the dates of publication being as follows:

**7-29-95***Julie L. Rohrman*Subscribed and sworn to before me this **29th** day of **JULY**, 19 **95**.

*Mary L. Adkinson*  
**MARY L. ADKISON**  
Notary Public  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 1997

FW COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

To: The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
 -- number of equivalent lines \_\_\_\_\_

Head -- number of lines \_\_\_\_\_

Body -- number of lines \_\_\_\_\_

Tail -- number of lines \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

**COMPUTATION OF CHARGES**

44 lines, 1 columns wide equals 44 equivalent lines  
 at .33 cents per line

\$ 14.52

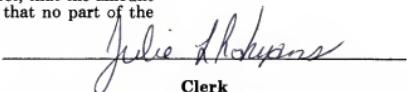
Additional charge for notices containing rule or tabular work  
 (50 percent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) \_\_\_\_\_

1.00**TOTAL AMOUNT OF CLAIM**\$ 15.52**DATA FOR COMPUTING COST**Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.


Date: JULY 29, 19 95

Title: \_\_\_\_\_ Clerk

**NOTICE OF PUBLIC HEARING -  
FORT WAYNE  
COMMON COUNCIL**

(RESOLUTIONS NO. R-95-07-15 AND R-95-07-16)

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Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, August 8, 1995, at 5:30 P.M. in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, IN

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1) YEAR AFTER CONFIRMATION.

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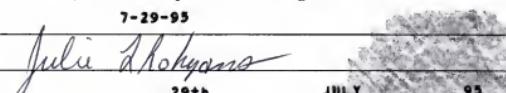
SANDRA E. KENNEDY  
CITY CLERK  
#906032**PUBLISHER'S AFFIDAVIT**

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 1, the dates of publication being as follows:

7-29-95

Subscribed and sworn to before me this 29th day of JULY, 19 95

Notary Public

MARY L ADKISON

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14,1997

My commission expires: